

1 measures the processes involved in that process?

2 A (Witness Weeks) I think that's a fair
3 characterization.

4 Q Okay. Did you, in your analysis, advise BellSouth
5 that any of their processes were perhaps inefficient?

6 A (Witness Weeks) I don't think efficiency was ever
7 a test objective.

8 Q Okay. So in essence, you took what they had and
9 you just measured how they did it, right?

10 A (Witness Weeks) I think that's a fair
11 characterization.

12 Q So your job here was not to try to improve their
13 process, right?

14 A (Witness Weeks) That was never an objective of
15 the test.

16 Q I'd like to talk first about -- it's on page IV-B-
17 6.

18 A (Witness Weeks) Is this the supplemental report?

19 Q Yes, sir, it is. I'm going to keep it simple,
20 it's all going to be about DSL.

21 Now this -- starting on this page is where you all
22 began your evaluation of the DSL provisioning processes and
23 ordering processes is that correct?

24 A (Witness Weeks) IV-B-6 in the supplemental test
25 plan, section 3.0 result summary, is that the section you're

1 referring to?

2 Q Right; yes, sir.

3 A (Witness Weeks) Okay.

4 Q Now test POP-12-2-1, do you see that one?

5 A (Witness Weeks) Yes.

6 Q Now that was a test of whether you got the
7 expected response from an LSR from BellSouth, is that
8 correct?

9 A (Witness Weeks) Pre-order or LSR.

10 Q Okay, so a service inquiry or an LSR or a loop
11 makeup order.

12 A (Witness Weeks) Yes.

13 Q Any of those. Okay. Now in that -- in this
14 particular test, you sent 370 orders initially, is that
15 right?

16 A (Witness Weeks) Pre-order and order.

17 Q Correct, I'm sorry, I don't mean to keep saying
18 order -- pre-orders and orders. And you got an
19 acknowledgment on 30 percent, is that right?

20 A (Witness Weeks) For the initial testing, that is
21 correct.

22 Q Now you were expected to get an acknowledgment on
23 every order, is that correct?

24 A (Witness Weeks) Yes.

25 Q Now, is that because the --

1 A (Witness Weeks) Okay, I stand corrected. When we
2 first started our tests, BellSouth did not have a procedure
3 in place that required them to acknowledge pre-orders or
4 orders sent in through manual processes.

5 Q And when did you start this test?

6 A (Witness Frey) It was approximately fourth
7 quarter 2000.

8 Q Fourth quarter 2000. So would it be fair to say
9 from the beginning of time until the fourth quarter 2000,
10 BellSouth did not acknowledge pre-orders sent manually?

11 A (Witness Weeks) We really wouldn't know the
12 answer to that question. They didn't have a process that
13 required that, to our knowledge.

14 Q So it's possible that they acknowledged them, but
15 they didn't have a process that required it. Do you know of
16 any other ILECs that have no process for acknowledging
17 manual orders or pre-orders?

18 A (Witness Weeks) We're not aware of any.

19 Q Now the next thing you report here is that
20 BellSouth implemented this new system to acknowledge e-
21 mails, is that right?

22 A (Witness Weeks) Yes.

23 Q Now that was in September, I believe, according to
24 your report, is that right?

25 A (Witness Weeks) Yes.

1 Q Now later, you tested again, as you continue
2 reading, and of the 111 e-mails, you got -- no, excuse me,
3 112 e-mails, you got responses on 111, correct?

4 A (Witness Weeks) Yes, both those numbers are
5 correct.

6 Q Okay. And how man responses did you get on the
7 faxes that you retested?

8 A (Witness Weeks) They don't acknowledge faxes.

9 Q They still don't acknowledge faxes.

10 A (Witness Weeks) We believe that they are in the
11 process of phasing out faxes, but the process did not get
12 changed in September for faxes.

13 Q Okay. Well, I guess what I would like to discuss
14 with you is you were evaluating whether BellSouth returned
15 appropriate responses to pre-orders that were submitted
16 either by facsimile or e-mail, is that correct?

17 A (Witness Weeks) Well, it says it provides
18 expected responses.

19 Q Okay, expected response is a response, correct?

20 A (Witness Weeks) Expected response would be that
21 response called for by the process.

22 Q Okay, so if the process had no response, then
23 there wouldn't be anything for you to measure, right?

24 A (Witness Weeks) If there was no expectation, then
25 we would have no expectation.

1 Q So if BellSouth devised a system in which they
2 just said we're not going to ever acknowledge anything you
3 send -- any order Covad ever sends, then that would be okay
4 with you and there wouldn't be any reason to test that.

5 A (Witness Weeks) It's not up to me to be okay. We
6 were testing the systems that were in place and if they had,
7 as I previously testified, no process for acknowledgement,
8 then there would have been nothing for us to test as
9 testers. We can't test what doesn't exist.

10 Q Okay, and do you know definitively whether there
11 was in the process a requirement to acknowledge an order
12 sent by facsimile, a pre-order sent by facsimile?

13 A (Witness Weeks) Our understanding of the current
14 process is that it does not require an acknowledgement of a
15 faxed order.

16 Q Could you turn to exception 112, please?

17 MS. BOONE: Mr. Chairman, am I correct that all
18 the exceptions are also already in the record or should I
19 enter this as a Covad exhibit?

20 COMMISSIONER BURGESS: No, they're part of the
21 record also.

22 BY MS. BOONE:

23 Q Do you have 112 there?

24 A (Witness Weeks) Yes, we do.

25 Q Now in this exception, KPMG was monitoring loop

1 makeup inquiries, is that correct?

2 A (Witness Weeks) Yes, loop makeup and LSR.

3 Q Okay. And you initially issued an exception
4 because you did not get the expected response, is that
5 correct?

6 A (Witness Weeks) That's correct.

7 Q Now the problem was you didn't know then if
8 BellSouth had gotten your orders ever, is that right?

9 A (Witness Weeks) That's correct.

10 Q And from a testing standpoint, you would have
11 expected a response, is that right?

12 A (Witness Frey) We would not have known that our
13 order had been received until a subsequent response, such as
14 an FOC or an error had been received.

15 Q If you ever got the subsequent response. Because
16 it's possible that you might not have gotten that response.

17 A (Witness Frey) That is theoretically possible,
18 yes.

19 Q Okay, so that the importance of a response is so
20 that you, KCI, acting as a CLEC, will know if your order
21 ever got there, right?

22 A (Witness Frey) That's correct.

23 Q Now you discussed some of the impacts the lack of
24 this response had and it was a decrease in customer
25 satisfaction and an increase in operating costs, is that

1 correct?

2 A (Witness Weeks) It could have resulted in that.

3 A (Witness Frey) Yes.

4 Q Okay. And that's a result of not having a
5 response either by fax or by e-mail, right?

6 A (Witness Weeks) Yes.

7 A (Witness Frey) It's a result of not having a
8 response at all, yes.

9 Q So to the extent that BellSouth still accepts
10 anything by facsimile and they don't have a process for
11 acknowledging those, would you agree with me that there
12 still is a decrease in customer satisfaction and an increase
13 in costs?

14 A (Witness Frey) I would agree that there is a
15 potential for those impacts.

16 Q That's all I want to know. Now you subsequently
17 closed out this exception, is that right?

18 A (Witness Frey) Yes.

19 A (Witness Weeks) Yes.

20 Q And on what basis did you close the exception?

21 A (Witness Weeks) BellSouth developed a documented
22 process in response to this lack of a process.

23 THE REPORTER: I couldn't hear your answer.

24 A (Witness Weeks) BellSouth developed a process in
25 response to the exception which noted the lack of a process.

1 BY MS. BOONE:

2 Q But that's a process for acknowledging e-mails,
3 not a process for acknowledging facsimiles, right?

4 A (Witness Weeks) I believe the way -- I believe in
5 the exception when it was written, it was for both e-mail
6 and fax.

7 Q Is that accurate?

8 A (Witness Weeks) Is what accurate?

9 Q That BellSouth has a process for acknowledging
10 receipt of facsimile orders?

11 A (Witness Weeks) It is our belief that BellSouth
12 has phased out fax orders.

13 Q As of when?

14 A (Witness Weeks) We don't know the date.

15 Q Was it before this closure report?

16 A (Witness Weeks) We believe they were still
17 accepting faxes as of this closure.

18 Q Well, I just want to be clear, because you closed
19 the closure report on the basis of the existence of a
20 process that BellSouth had put in place to return
21 acknowledgements of pre-orders sent by e-mail or facsimile.

22 Are you now stating that there was not in fact, at the time
23 you closed this, a process in place for acknowledging orders
24 sent by facsimile?

25 A (Witness Weeks) Give us a moment to re-read the

1 closure statement.

2 (Brief pause.)

3 A (Witness Frey) We closed the exception based on
4 the implementation of a process that provided for an
5 acknowledgement to the CLEC upon receipt of a manual LMU
6 request from a CLEC. The process for accepting faxes was
7 being phased out.

8 Q But had not yet been phased out?

9 A (Witness Frey) I believe at the time of the
10 closure statement, it was in the process of being phased
11 out, correct.

12 Q Now the order acknowledgement or pre-order
13 acknowledgement process --

14 COMMISSIONER BURGESS: One question. Do you know
15 whether or not faxes are being accepting for pre-ordering or
16 ordering of DSL loops today?

17 WITNESS FREY: It's our understanding that they're
18 not, but we have not verified that.

19 BY MS. BOONE:

20 Q Now in your summary of the retest activities
21 that's on page 2 of the closure report, you state a couple
22 of reasons in addition to the one you just offered. One
23 thing you said was that you don't need an acknowledgement
24 because a CLEC can submit a request for a status to the
25 complex resale group. Do you see that right there in the

1 second paragraph?

2 A (Witness Weeks) Yes. The sentence that starts
3 "According to the new documentation"?

4 Q Yes, sir.

5 A (Witness Weeks) I see that.

6 Q Okay. Now so is it your view that having the CLEC
7 initiate a status request to BellSouth is sufficient to
8 replace the actual acknowledgement of an order from
9 BellSouth?

10 A (Witness Weeks) I would say it's not a
11 replacement for, it is a mitigation of a lack of.

12 Q A mitigation of the lack of the BellSouth process
13 or the failure of the BellSouth process.

14 A (Witness Weeks) If an acknowledgement was not
15 coming to you and you could mitigate that lack by doing a
16 request during the query, then it would tend to offset that
17 lack of response.

18 COMMISSIONER BURGESS: Would you pull your mic a
19 little closer to you? The court reporter is still having a
20 tough time hearing.

21 BY MS. BOONE:

22 Q I just want to be clear. The CLECs are obligated
23 to mitigate BellSouth's failure to return an
24 acknowledgement, is that right?

25 A (Witness Weeks) We're just pointing out a fact,

1 as a finder of fact, that at the time this evaluation took
2 place, there was not an acknowledgement in place, and that
3 it was possible for CLECs to determine what the status of
4 that was, but in the end, as the report states, you know,
5 we're still in a "not satisfied" situation on this
6 evaluation criteria.

7 Q Yeah, I was just going to get to that. Now let's
8 talk about exception number 134. Exception number 134 was
9 again opened regarding acknowledgement of pre-orders from
10 CLECs on xDSL, is that right?

11 A (Witness Weeks) It says we didn't get expected
12 responses, there were missing acknowledgements for certain
13 types of pre-orders and orders,

14 Q All right. Now help me understand how this works,
15 because you had exception 112 we were just talking about
16 that dealt with acknowledgement of loop makeup as well as
17 LSR, SI inquiries sent that were not properly acknowledged,
18 is that correct?

19 A (Witness Weeks) 112 was about a missing process.

20 Q Okay, and then what's 134 about?

21 A (Witness Weeks) It's about actual responses
22 received and whether or not they were expected or not.

23 Q Excuse me, I didn't hear the last bit.

24 A (Witness Weeks) It's talking about the fact that
25 we had missing acknowledgement or responses to our pre-order

1 queries and our LSRs. One is process oriented, the other is
2 results oriented.

3 Q Okay. So in exception 112, you've concluded that
4 there was not a process and when BellSouth put in place a
5 process, you passed them, correct? You closed the
6 exception.

7 A (Witness Weeks) Well, a closure of an exception
8 is not a passing of a test, those are independent actions.

9 Q Thank you for that clarification. You closed the
10 report on that basis, is that correct?

11 A (Witness Weeks) We closed the process exception
12 based on the creation of a process.

13 Q And then you opened exception 134 because the new
14 process didn't work, right?

15 A (Witness Weeks) Because we were missing certain
16 responses and things that we needed.

17 Q Now you opened exception 34 on March 16, 2001, is
18 that correct?

19 A (Witness Weeks) 134?

20 Q Yes, sir.

21 A (Witness Weeks) On the 16th, yes.

22 Q And if you look back at 112, that's the day you
23 closed that one on. Is there any significance in that?

24 A (Witness Frey) Coincidence.

25 Q Coincidence, okay. Did you consider combining

1 these two exceptions to monitor not only the process but
2 then how the processed worked?

3 A (Witness Weeks) No, there was a decision taken
4 early on in the Georgia test that we would try to make a
5 large number of small fine-grained exceptions, each as much
6 as possible focused on a particular topic. And so the
7 existence or lack thereof of a process is in our mind a
8 fundamentally different thing than how the company performs
9 while it operates that process. So in our minds, those are
10 two issues that would be dealt with separately.

11 Q Okay. Now with exception 134, you submitted 447
12 pre-order loop makeup service inquiries and LSR service
13 inquiries, is that right?

14 A (Witness Weeks) I believe 447 -- yeah, I believe
15 that's correct.

16 Q And you got an acknowledgement on 93 percent of
17 those, right?

18 A (Witness Weeks) Yes.

19 Q Now is it part of your role to figure out what
20 happened with the seven percent?

21 A (Witness Weeks) The way these tests are performed
22 is that when we have a missing response, we will communicate
23 what we believe to be missing to the company because we're
24 willing to admit we may have been the cause of the problem
25 or the error and we would like clarification from the

1 company as to whether from its perspective it agrees that
2 those items should be missing. We go through a fact-finding
3 process to try to resolve where these things might be.

4 Q Now doesn't that actually occur at the draft
5 exception level, before it ever becomes a formal exception
6 with this Commission?

7 A (Witness Weeks) Well, the process of trying to
8 communicate problems or issues could have been brought to
9 light in several different ways.

10 Q Let me ask it this way. For every exception you
11 filed with this Commission, did you present to BellSouth a
12 draft exception covering the same issues?

13 A (Witness Frey) I can think of no exceptions to
14 that process.

15 Q Is that a yes?

16 A (Witness Weeks) We don't recall any instances
17 where that's not the case.

18 Q Okay. Now was it then BellSouth's opportunity to
19 explain to you that you were incorrect?

20 A (Witness Weeks) That's the way the process
21 worked.

22 Q And in how many instances did they do that,
23 convince you not to file a formal exception I guess is the
24 question.

25 A (Witness Weeks) I don't have a count.

1 A (Witness Frey) I don't recall specifically, I'd
2 say approximately 10.

3 Q So if you can't recall any exceptions to the
4 exception rule, you submitted a draft exception of 134 to
5 BellSouth, is that correct, to the best of your
6 recollection?

7 A (Witness Frey) Yes.

8 Q And at that time, BellSouth would have discussed
9 with you whether they believed that it was actually 93
10 percent that were acknowledged or 98 percent, is that
11 correct?

12 A (Witness Weeks) No, they would have discussed
13 individual line items with us that were part of the
14 exception and they would have contested or agreed with
15 individual topics, not percentages. The percentages are a
16 calculation.

17 Q Okay. So is it fair to say that with respect to
18 the seven percent that did not acknowledgements, BellSouth
19 either said we don't know what happened to them or yes, we
20 were wrong.

21 A (Witness Frey) It's fair to say that at the time
22 the exception was issued, BellSouth did not provide any
23 evidence to us that was satisfactory in our view to call for
24 the removal of a pawn from the detail list provided in the
25 text of the exception.

1 Q Okay. Now after the exception becomes a formal
2 exception with the Commission, do you then work with
3 BellSouth to determine a way to improve their process?

4 A (Witness Weeks) No.

5 Q I'm sorry, could you speak into the microphone?

6 A (Witness Weeks) No, that is not our
7 responsibility.

8 Q Okay. Explain to me then how the military testing
9 works.

10 A (Witness Weeks) Military testing fundamentally
11 suggests that we raise -- we conduct a test, if the test
12 results aren't satisfactory, we communicate the fact that
13 there are certain things that didn't work properly such as
14 through an exception. The company goes and researches that,
15 determines whether or not the facts that we have attempted
16 to communicate are accurate or inaccurate. After we go
17 through the factual accuracy stage, if in fact the company
18 acknowledges that there is a problem, then the company can
19 make a decision as to whether they choose to fix the problem
20 or not fix the problem. If they choose to fix the problem,
21 they communicate to us what the nature of that fix is, what
22 the timing of that fix is and then a determination is made
23 as to whether there will be a retest or not. If there's a
24 retest done, then we start the cycle again and at some point
25 either the issue gets resolved or the issue gets into a

1 state where no more formal testing or analysis is possible
2 at this time.

3 Q Okay. In your report, I didn't see any instances
4 of a third test. So am I to understand that on each of these
5 where a retest was required, BellSouth failed the first test
6 and passed the second test?

7 A (Witness Weeks) Or got into a situation where
8 they chose not to make changes or not to conduct a resting.

9 Q And then what happens?

10 A (Witness Weeks) Well, then there's a closure
11 statement on the exception because there's no further work
12 that's possible at that time, and based upon the company's
13 performance, we award a satisfied, not satisfied, no
14 determination possible -- the four categories discussed
15 earlier.

16 Q And in how many instances did BellSouth not agree
17 to either improve the process or change the process and
18 agree to a retest?

19 A (Witness Weeks) If I understood the question
20 correctly, I think one could look at probably a count of the
21 not satisfied, which I don't have off the top of my head.

22 Q And those would be the only instances. There
23 would be no test in which BellSouth had failed the first
24 test, refused a retest and then you would have offered any
25 result other than not satisfied?

1 A (Witness Weeks) I can't think of an example of
2 that.

3 Q Now --

4 COMMISSIONER BURGESS: Let me ask you, Ms. Boone,
5 how much longer do you think you have for your cross? I'm
6 just trying to map out the calendar here.

7 MS. BOONE: I think I have another half an hour or
8 so.

9 COMMISSIONER BURGESS: We'll go forward and at
10 1:00 we'll take a 30-minute break for lunch. So you go
11 right ahead.

12 MS. BOONE: Okay, thank you.

13 BY MS. BOONE:

14 Q I'd like you to turn now to exception 117. Do you
15 have it there in front of you?

16 A (Witness Weeks) We're getting it.

17 Q Now this exception deals with BellSouth's
18 providing a clarification or a rejection of a loop makeup
19 inquiry, is that correct?

20 A (Witness Weeks) Within a specified period of
21 time.

22 Q Right. That's what I'd like to talk to you about.

23 Now BellSouth's products and services guide at the time
24 that you evaluated this allowed itself an interval of seven
25 business days to return a manual loop makeup, is that

1 correct?

2 A (Witness Weeks) I believe that's correct. Yes,
3 that's true.

4 Q And that's the time during which BellSouth is
5 reviewing its records and determining the physical
6 characteristics of a loop that a DSL provider would order?

7 A (Witness Weeks) That's our understanding.

8 Q That's your understanding. Now you also decided
9 to allot BellSouth seven days to issue a clarification or
10 rejection of a request to perform that work, is that right?

11 A (Witness Weeks) So our understanding was that
12 that would be any type of response, not just the proper
13 response or the desired response.

14 Q Okay. So you didn't try to measure separately how
15 quickly they should return a clarification?

16 A (Witness Weeks) We applied the same seven days to
17 all responses. We didn't distinguish by response type.

18 Q Now in this exception though, you say they didn't
19 provide a clarification or a rejection within seven days, is
20 that right?

21 A (Witness Weeks) That's correct.

22 Q So does that mean they did provide the loop makeup
23 with seven days on these test orders?

24 A (Witness Frey) The orders specified in the
25 exception were specific to clarifications or rejections,

1 yes.

2 Q The orders specified in the exceptions -- so you
3 tested 60, 45 had clarifications or rejections that you
4 didn't get in time, is that --

5 A (Witness Weeks) No, I think the way to
6 characterize it is, we received clarification or rejections
7 to our responses 60 times, and of the 60 we received, this
8 is a list of the ones that didn't come back on time.

9 Q Okay. So you think that BellSouth should either
10 do the loop makeup or reject the order altogether in seven
11 days?

12 A (Witness Weeks) We believe that was their stated
13 process.

14 Q Okay. So all you were doing was measuring whether
15 they had met what they set forth in their products and
16 services guide?

17 A (Witness Weeks) That is the nature of the design
18 of the test.

19 Q Okay. Are you aware of comments submitted by
20 CLECs throughout the process, particular Covad?

21 A (Witness Weeks) Yes, some.

22 Q Are you aware of concerns raised by CLECs that the
23 intervals set forth in BellSouth' products and services
24 guide were inadequate to provide a meaningful opportunity to
25 compete?

1 COMMISSIONER BURGESS: Ms. Boone, I'm being a
2 little bit liberal here, but I think you might be stepping a
3 little bit outside of the confines of this case. I know
4 we've got some other issues where we've been talking about
5 intervals for provisioning. I want to give you some
6 freedom, but I don't want to turn this into a performance
7 measurement proceeding also.

8 MS. BOONE: I understand that. Thank you,
9 Commissioner.

10 WITNESS WEEKS: As we sit here today, we don't
11 have any specific recollection of those particular
12 conversations. They certainly could have taken place. We
13 don't recall them specifically.

14 BY MS. BOONE:

15 Q Now when you look further here at Exception 117,
16 if you'll turn over to -- I believe it's your page when you
17 first say how many there were. It's the second page of the
18 closure report, which is 2 of 2.

19 A (Witness Weeks) I'm sorry, you said the first or
20 the second page?

21 Q The second page, the top of the page. It states,
22 "KCI submitted 216 LMU/SI pre-orders to BellSouth, of which
23 149 LMU/SI's received rejections/clarifications from the
24 CRSG/LCSC," is that correct?

25 A (Witness Weeks) That's what it says, yes.

1 Q Now that is 68 percent of your orders. Does that
2 seem like a reasonable number to receive a rejection or
3 clarification?

4 A (Witness Weeks) This exception was about
5 timeliness and whether we received the appropriate responses
6 on time. In closing this, we noted that all were returned
7 within seven days. So the criteria were met.

8 Q I understand that that was what the target of this
9 test was, but I'm wondering if you used it as an opportunity
10 to evaluate whether there was some other problem resulting
11 in 68 percent clarifications or rejections?

12 A (Witness Weeks) There was a separate test where
13 we looked at the accuracy of clarifications and rejections.

14 Q Yes, there certainly was. It's POP 12-4-4. And
15 you determined that BellSouth had satisfied that in that
16 test. But what I'm curious about is, you had an opportunity
17 here to operate as a CLEC and submit 216 orders and you
18 received a clarification or a rejection on 68 percent of
19 them. Did you use that as an opportunity to explore what
20 may be another problem in the BellSouth process?

21 MR. HILL: Mr. Commissioner, I hesitate to rise
22 and object, but she asked that exact same question and he
23 just answered that exact same question.

24 MS. BOONE: I believe it was asked but I don't
25 believe it was answered.

1 COMMISSIONER BURGESS: The witness responded. You
2 might not have gotten the answer you wanted to hear, but I
3 did hear the witness respond to your question, Ms. Boone.

4 BY MS. BOONE:

5 Q Okay, let me ask you this: You employ smart
6 people at KPMG, is that correct?

7 (Laughter.)

8 A (Witness Weeks) The answer is yes, of course.

9 Q Okay. And you read the rules on how to fill out
10 the loop makeup service inquires, is that correct?

11 A (Witness Weeks) That's correct.

12 Q And you submitted 216 of them, is that correct?

13 A (Witness Weeks) That's correct.

14 Q But for some reason there was a problem on 68
15 percent of them?

16 A (Witness Weeks) And every response we got back
17 that was a clarification was accurate or complete according
18 to the rules.

19 Q Okay. Let me ask you this: Is it possible there
20 was some problem with the BellSouth rules that led you to
21 make 68 percent errors?

22 MR. HILL: Objection. That calls for speculation
23 on the part of the individuals presenting testimony.

24 COMMISSIONER BURGESS: I'm going to allow the
25 question to be answered.

1 WITNESS WEEKS: Some of the errors that we
2 received were our cause. Some of those we would have
3 attributed to BellSouth. But we, sitting here today, can't
4 honestly tell you because we gave this a satisfied that we
5 believe the company isn't following the procedures that it's
6 outlined and isn't returning accurate information.

7 BY MS. BOONE:

8 Q Okay. Even though your experience was different?

9 A (Witness Weeks) No our experience says that.
10 They gave us back accurate information according to their
11 process.

12 Q Now I would like to ask you about a few of the
13 exceptions that you noted with BellSouth. I think in
14 BellSouth's response, which is the last page of this
15 Exception 117, BellSouth agreed with your findings on all of
16 them except for three PON numbers. Do you see that page?
17 It's not numbered unfortunately. It's the second page of
18 the BellSouth response.

19 A (Witness Weeks) The original response or the
20 amended?

21 A (Witness Frey) The initial response or their
22 amended?

23 Q It must be original -- no, amended -- no,
24 original.

25 (Laughter.)

1 A (Witness Weeks) Right. I see that.

2 Q Okay. Now in those three PON -- BellSouth says
3 okay -- on the first one, for example, they said hey, we got
4 it and we rejected it on the same day. Is that correct?
5 Would that be a correct paraphrasing of that?

6 A (Witness Weeks) They're representing that they
7 rejected it the same day they received it, yes.

8 Q Then they say they got it again 20 days later, is
9 that right?

10 A (Witness Weeks) Yes.

11 Q So what happened in between that time?

12 A We don't recall.

13 Q Okay. And the second one, we have the same sort
14 of situation where it says BellSouth received and clarified
15 on September 7th. Do you recall what happened with that
16 one?

17 A (Witness Weeks) We don't remember the specifics
18 but it was represented to us that this was some sort of
19 BellSouth internal error.

20 Q Is it possible that -- for example, with these
21 three examples right here, that you've tapped into another
22 potential process problem at BellSouth that you didn't
23 further investigate?

24 A (Witness Weeks) Is it possible?

25 Q Uh-huh.